

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

T & E CHICAGO, LLC, individually and)
on behalf of all others similarly situated,)
Plaintiff,) Case No.: 1:20-cv-04001
v.) Hon. Harry D. Leinenweber
THE CINCINNATI INSURANCE) Magistrate Judge: Hon. Sunil R. Harjani
COMPANY,)
Defendant.)

**DEFENDANT THE CINCINNATI INSURANCE COMPANY'S
MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), defendant The Cincinnati Insurance Company ("Cincinnati") hereby moves the Court to dismiss Plaintiff's Class Action Complaint (ECF Doc. #1) for failure to state a claim upon which relief can be granted. A Memorandum in Support of this Motion follows. Because this issue is a matter of importance to multiple cases in the District Court, Defendant respectfully requests oral argument on its Motion.

Respectfully submitted by:

THE CINCINNATI INSURANCE COMPANY

By its Counsel:

/s/ Brian M. Reid
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CERTIFICATE OF SERVICE

I, Brian M. Reid, hereby certify that on August 31, 2020, I caused the foregoing to be served on all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Brian M. Reid